

PB# 87-67

**Moores Hill Estates
(Withdrawn)**

34-2-6,17,38

MOORES HILL ESTATES 87-67
Major Sub. Raimondi Assoc.

Withdrawn
4/30/97

County File No. NWT 20-87 N

COUNTY PLANNING REFERRAL

(Mandatory County Planning Review under Article 12-B,
Section 239, Paragraphs 1, m & n, of the
General Municipal Law)

Application of Jacob Deutsch
for a Major Subdivision - Moores Hill Road
County Action: Local Determination

LOCAL MUNICIPAL ACTION

The Above-cited application was:

Denied Approved

Approved subject to County recommendations

(Date of Local Action)

(Signature of Local Official)

This card must be returned to the Orange County Department of Planning
within 7 days of local action.

County File No. NWT 21-89 M
NWT 18-88 N

COUNTY PLANNING REFERRAL

(Mandatory County Planning Review under Article 12-B,
Section 239, Paragraphs 1, m & n, of the
General Municipal Law)

Application of Moores Hill Estates
for a Zoning Change - Moores Hill Road
County Action: approved

LOCAL MUNICIPAL ACTION

The Above-cited application was:

Denied Approved

Approved subject to County recommendations

County File No. NWT 18-88 N

COUNTY PLANNING REFERRAL

(Mandatory County Planning Review under Article 12-B,
Section 239, Paragraphs 1, m & n, of the
General Municipal Law)

Application of Moores Hill Estates
for a major subdivision- Moores Hill Road
County Action: Approved

LOCAL MUNICIPAL ACTION

The Above-cited application was:

Denied Approved

Approved subject to County recommendations

(Date of Local Action)

(Signature of Local Official)

This card must be returned to the Orange County Department of Planning
within 7 days of local action.

Approved subject to County recommendations

(Date of Local Action)

(Signature of Local Official)

This card must be returned to the Orange County Department of Planning
within 7 days of local action.

County File No. NWT 21-89 M

NWT 18-88 N

COUNTY PLANNING REFERRAL

(Mandatory County Planning Review under Article 12-B,
Section 239, Paragraphs 1, m & n, of the
General Municipal Law)

Application of Moores Hill Estates

for a Zoning Change - Moores Hill Road

County Action: approved

LOCAL MUNICIPAL ACTION

The Above-cited application was:

Denied Approved

Approved subject to County recommendations

County File No. NWT 18-88.N

COUNTY PLANNING REFERRAL

(Mandatory County Planning Review under Article 12-B,
Section 239, Paragraphs 1, m & n, of the
General Municipal Law)

Application of Moores Hill Estates

for a major subdivision- Moores Hill Road

County Action: Approved

LOCAL MUNICIPAL ACTION

The Above-cited application was:

Denied Approved

Approved subject to County recommendations

(Date of Local Action)

(Signature of Local Official)

This card must be returned to the Orange County Department of Planning
within 7 days of local action.

8-28 - Highway
sewer

Water

P.B. Engineer

Building Insp.

Fire Insp.

ORANGE COUNTY PLANNING

Tracking Sheet

5-18-88

Water

Fire Inspector

Sewer

Highway

a.c.f.

783-9375

ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK

In the Matter of the Application of
Jacob Deutsch for a Variance of certain
premises located on Route 207, Town of
New Windsor

NOTICE OF PETITION

Petitioner,

PLEASE TAKE NOTICE that the Petitioner above named, does hereby
appeal to the Zoning Board of Appeals of the Town of New Windsor as and
for a use variance for certain premises located on Route 207, Town of New
Windsor, as hereinafter more particularly described in the Petition
annexed hereto and made a part hereof.

Yours, etc.,

BERNARD E. DAVIS, ESQ.
Attorney for Petitioner
301 Chester Plaza
Chester, New York 10918

Dated: June 2, 1988

ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK

In the Matter of the Application of
Jacob Deutsch for a Variance of certain
premises located on Route 207, Town of
New Windsor

PETITION

Petitioner,

THE PETITIONER, JACOB DEUTSCH, as Incorporator, for his Petition,
by his attorney Bernard E. Davis, Esq., alleges as follows:

1. The Petitioner is under contract to purchase certain premises
from the present owner, Equipment Rebuilders Holding Corp., with offices
located at 609-15 Broadway, Westwood, New Jersey 07675.

2. A metes and bounds description of the premises Petitioner is
under contract to purchase is annexed hereto and made a part hereof as
Exhibit "A".

3. That the premises are described as Section 34, Block 2, Lots
6, 17 and 38 on the tax map of the Town of New Windsor. That tax lot No.
6 and a portion of tax lot No. 17 are presently located in an N.C. Zoning
District. The balance of the land is located in an R-3 Zoning District.

4. The Petitioner made application to the Planning Board of the Town of New Windsor for a proposed development of the property into twenty-five (25) lots. The Planning Board, after an initial preliminary review, were required to reject the application on the grounds that several of the residential lots are located within an N.C. Zoning District.

5. The Petitioner as part of this initial review before the Planning Board, submitted two proposed plans. The first plan was for 25 lots serviced by municipal sewer and individual wells. The second plan was for the 25 lots to be serviced by municipal sewer and municipal water due to the impending water district which may be created and encompass the area of the property.

6. A copy of this second plan is annexed hereto as Exhibit "B". That notwithstanding the reduction in the lot size, due to the impending water district, the Petitioner still maintained the original 25 lots and did not seek to increase its density.

7. That access to and from the property would be off of Moors Hill Road, eventually onto Route 207. No additional access would be made to or from Route 207 as residential development. If a commercial development was obtained, it would require access to and from Route 207.

8. The area of the commercially zoned land is substantially low and wet, not lending itself to development of any sorts. The use of this same area for residential development would result in large lots and create a buffer from the adjoining neighbors or Route 207.

9. A commercial development would generate substantial traffic to and from Route 207, creating a potential danger. Whereas, the residential development will have substantially less traffic but having the same entrance and exit from Route 207 from existing intersection of Moores Hill Road. That as part of the residential development, there will be certain realignment work done on Moores Hill Road to better handle the traffic.

10. The Planning Board, in concept, felt the road layout as proposed, was acceptable and would prefer to see the commercial land developed as part of residential land.


11. That Section 48-6, sub-paragraph (d), of the Zoning Law of the Town of New Windsor permits the residential development on those lots where more than fifty (50%) percent of the area of the lot is located in a residential zone. This variance is requested for the complete land in the N.C. Zone, because the final location of the lot lines cannot be determined until the Planning Board has granted approval. Yet, the Planning Board cannot grant approval for the complete map because some of the lots need a variance. Therefore, the variance is requested for all land within the commercial zone, even though some of the lots on the final plan may not need a variance.

12. That the elimination of the residential lots from the commercial zone, would result in substantially higher costs for the development of the residential land, however, it will result in the commercial land being rendered virtually valueless. The access from Route 207 is limited through low lands and drainage of the existing stream, which is a Class "A" stream. The New York State Department of Environmental Conservation has already indicated that they do not wish any work being rendered to the stream this results in the inability to develop the commercial land with access from Route 207.

13. That Section 48-34, sub-paragraph (g), of the Zoning Law of the Town of New Windsor requires that a variance shall become null and void if construction is not commenced within twelve (12) months of the granting of the application. Relief is requested that said 12 months commence with the date the Chairman of the Planning Board signs the final subdivision plat. That it is obvious that the Zoning Board of Appeals may grant the variance but due to the numerous requirements of obtaining preliminary and final subdivision approval, that final approval may not be granted within the 12 months of the date of the granting of the variance.

14. That the relief requested is: (1) Use variance of the Use Regulations of the N.C. zone for single family residential use; (2) "Area"/bulk regulation variance of the provisions of Section 48-34(g) to extend the time to commence construction to be 12 months after the date of final approval and signing of the final subdivision plat.

WHEREFORE, your Petitioner respectfully requests that the Board grant a Use Variance for the use of a portion of the premises for residential use, together with such other and further relief as to this Board may feel is just and proper.


JACOB DEUTSCH, Petitioner

Yours, etc.,

BERNARD E. DAVIS, ESQ.
Attorney for Petitioner
301 Chester Plaza
Chester, New York, 10918

Dated: June , 1988

STATE OF NEW YORK :

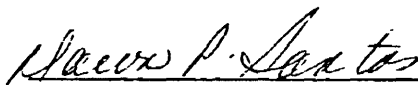
ss:

COUNTY OF ORANGE :

JACOB DEUTSCH, being sworn, say: I am the Petitioner in the within action; I have read the foregoing Petition and know the contents thereof; the same is true to my own knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters I believe it to be true.


JACOB DEUTSCH

Sworn to before me this
2nd day of June, 1988


Notary Public

DAWN P. SANTOS
Notary Public, State of New York
Qualified in Orange County
No. 4663752
Commission Expires 1/31/1989

SCHEDULE A

ALL that piece or parcel of land situate in the Town of New Windsor, Orange County, New York, bounded and described as follows:

PARCEL I

BEGINNING at a point marked by a concrete monument set in the southerly side of New York State Highway No. 207 marking the northeasterly corner of lands conveyed to Michael M. and Marian J. Lisi as described in a deed recorded in Orange County Clerk's Office in Liber 1224 cp. 54 and from said point of beginning the following courses and distances: (1) South $28^{\circ} 24'$ West as measured along lands now or formerly of Lisi 171.68 feet to an iron rod, thence (2) South $29^{\circ} 10'$ West as measured along lands now or formerly of Rosen and Rottmeier 223.0 feet to a wood stake, thence (3) South $89^{\circ} 11'$ West as measured along lands now or formerly of Rottmeier 263.00 feet to an iron rod in lands now or formerly of Loeven, thence (4) as measured along lands now or formerly of Loeven the following 4 courses and distances: (a) South $0^{\circ} 49'$ East 394.49 feet to an iron pipe, thence (b) South $10^{\circ} 22'$ East 625.61 feet to an iron pipe, thence (c) South $14^{\circ} 22'$ East 393.51 feet to a wood stake, thence (d) South $39^{\circ} 39'$ West 60.35 feet to a wood stake and lands now or formerly of Svitak, thence (5) South $13^{\circ} 58'$ East as measured along said Svitaks lands 231.28 feet to a point in the center of Moores Hill Road, thence (6) along the center of Moores Hill Road North $39^{\circ} 39'$ East a distance of 261.64 feet to a point and lands conveyed by Smith to Bergamo, thence (7) as measured along lands now or formerly of Bergamo the following 3 courses and distances: (a) North $15^{\circ} 59'$ West 300 feet to a wood stake, thence (b) North $39^{\circ} 39'$ East 150 feet to an iron pipe, thence (c) South $15^{\circ} 59'$ East 300 feet to a point in the center of Moores Hill Road, thence (8) as measured along the center of

Moore's Hill Road the following two courses and distances: (a) North 37° 36' East 654.0 feet to a point, thence (b) North 50° 50' East 150.33 feet to a point in lands now or formerly of Jannotti and Angelone, thence (9) as measured along said lands of Jannotti and Angelone the following courses and distances: (a) North 39° 10' West 150 feet to an iron pipe, thence (b) North 49° 32' East 153.80 feet to a point, thence (c) North 38° 13' East 60 feet to an iron pipe and lands now or formerly of Fowler, thence (10) as measured along lands now or formerly of Fowler the following 2 courses and distances: (a) North 43° 23' West 174.5 feet to an iron rod, thence (b) North 39° 11' East 17.81 feet to an iron pin and lands now or formerly of Loeven, thence (11) along said lands now or formerly of Loeven the following 2 courses and distances: (a) North 43° 23' West 297.12 feet to an iron pin and (b) North 39° 11' East 33.0 feet to an iron pin and lands now or formerly of Gladstone. (Liber 1735 cp. 754.) thence (12) North 50° 49' West along said lands of Gladstone 135.0 feet to an iron pipe and lands now or formerly of Tracy, thence (13) as measured along lands now or formerly of Tracy the following 2 courses and distances: (a) North 47° 39' West 150.0 feet to an iron rod, thence (b) North 4° 59' West 92.1 feet to a wood post and lands formerly of Brown and now or formerly of McCauley, thence (14) as measured along lands now or formerly of McCauley and lands now or formerly of Goch, Inc., North 55° 49' West 60.3 feet to the southwest corner of lands conveyed from McCauley to Goch, Inc., as described in Liber 1740 cp. 951, thence (15) along lands now or formerly of Goch, Inc., (Liber 1740 cp. 951) North 1° 12' West 95.20 feet to an iron pipe, set in the southerly side of State Highway #207, thence along the southerly side of said Highway North 62° 07' West 45.34 feet to the concrete monument at the point and place of beginning and containing 25.20 acres more or

less. As shown on a map of lands of Gladstone to Bergamo by Sidney L. Horowitz, Surveyor P.E. & L.S. #27130 of Monticello, N.Y. and dated 10, May 1966.

SUBJECT to grants of record to public utilities.

SUBJECT to zoning ordinances and building regulations of the Town of New Windsor.

BEING and intended to be a portion of the premises Nathaniel and Iva S. Brown, husband and wife to Howard Gladstone and Elizabeth S. Gladstone, dated October 17, 1949 and recorded in the Orange County Clerk's Office on October 18, 1949 in Liber 1138 cp. 451, the said Elizabeth S. Gladstone died a resident of the County of Orange on July 10, 1961.

BEING the same premises conveyed from Howard Gladstone to Goch, Inc. on the 29th day of November, 1966 and recorded in the Orange County Clerk's Office on the 29th day of November, 1966 in Liber 1758 of Deeds at page 449.

EXCEPTING therefrom all that piece or parcel of land more particularly bounded and described as follows:

BEGINNING at a point, said point being distant from Moores Hill Road the following courses and distances: South 0° 49' East a distance of 394.49 feet South 10° 22' East a distance of 625.61 feet, South 14° 22' East a distance of 393.51 feet, South 39° 39' West a distance of 60.35 feet, South 13° 58" East a distance of 231.28 feet and running on the following four (4) courses and distances.

1. Thence North 89° 11' East a distance of 60.00 feet.
2. Thence South 00° 49' East a distance of 240.00 feet.
3. Thence South 89° 11' West a distance of 60.00 feet.
4. Thence North 00° 49' West a distance of 240.00 feet to the point or place of beginning.

BASED upon a survey made for Goch, Inc., by Robert Peachey, L.S. West Nyack, New York dated August 1, 1967.

BEING a portion of the premises conveyed in a Deed from Howard Gladstone to Goch, Inc. dated 29th day of November, 1966 and recorded in the Orange County Clerk's Office on that date in Liber 1758 of Deeds at page 449.

BEING the same premises conveyed from Goch, Inc. to George F. Kent, Jr. and Patricia A. Kent, his wife, on the 6th day of October, 1967 and recorded in the Orange County Clerk's Office on the 6th day of October, 1967 in Liber 1779 of Deeds at page 14.

EXCEPTING also therefrom, all that piece or parcel of land more particularly described as follows:

BEGINNING at a point in the northerly line of Moores Hill Road southeasterly corner of lands of Svitak. Said point also being southwest corner of property intended to be conveyed and running on the following four (4) courses and distances:

1. Northerly along the lands of Svitak North $13^{\circ} 58' 00''$ West a distance of 200.23 feet to a point.

2. Thence North $39^{\circ} 39' 00''$ East a distance of 100.00 feet to a point.

3. Thence South $13^{\circ} 58' 00''$ East a distance of 200.23 feet to a point in the northerly side of the Moores Hill Road.

4. Thence along the northerly side of Moores Hill Road South $39^{\circ} 39' 00''$ West a distance of 100.00 feet to the point or place of beginning.

TOGETHER with any land lying in the bed of Moores Hill Road.

BASED upon a survey made for Goch, Inc. by Robert Peachey, L.S. West Nyack, New York dated August 1, 1967.

BEING a portion of the premises conveyed in a deed from Howard Gladstone to Goch, Inc., dated 29th day of November, 1966

and recorded in the Orange County Clerk's Office on that date in Liber 1758 of Deeds at page 449.

BEING the same premises conveyed in a deed from Goch, Inc. to Francis Svitak and Jennette Svitak, his wife, on the 6th day of October, 1967 and recorded in the Orange County Clerk's Office on the 9th day of October, 1967 in Liber 1778 of Deeds at page 993.

PARCEL II

ALL that piece or parcel of land situate in the Town of New Windsor, Orange County, New York, bounded and described as follows:

BEGINNING at a point in the center of a town road leading from the Little Britain Road to Bethlehem Church, said point being 1070.8 feet distant measured northeasterly along the center of said Town Road from its intersection with the southerly corner of Nathaniel M. Brown's land and also being 21.0 feet distant measured South 15° 59' East from a fence post on the northwesterly side of said Town Road and runs thence (1) North 15° 59' West along a wire fence 300.0 feet to a stake; thence (2) South 39° 39' West 150.0 feet to a stake; thence (3) South 15° 59' East 300.00 feet to a point in the center of said Town Road, said point being 18.4 feet distant measured South 15° 59' East from a stake on the northwesterly side of said Road; thence (4) North 39° 39' East along the center of said Town Road 150.0 feet to the point of beginning, containing 0.854 acres of land, more or less.

BEING the same premises conveyed from Vincent A. Bergamo to Goch, Inc. on the 3rd day of February, 1967 and recorded in the Orange County Clerk's Office on the same day in Liber 1762 of Deeds at page 339.

PARCEL III

ALL that parcel of land, situated in the Town of New Windsor, Orange County, State of New York, being a portion of the lands conveyed to William H. McCauley, Jr. and Susan W. McCauley, and more particularly bounded and described as follows:

BEGINNING at an iron pipe set in the west bank of a stream, said point being South $1^{\circ} 12'$ East 29.6 feet from the southerly edge of the concrete pavement of New York State Route 207, S.H. 153 and being the terminus of course number (12) in Deed recorded in Liber 1138 cp. 451 and running thence South $62^{\circ} 07'$ East 13.5 feet across aforesaid stream to a concrete monument set in the east bank of the stream; thence North $70^{\circ} 49'$ East 29.6 feet to a concrete monument; thence South $72^{\circ} 48'$ East 24.8 feet to a point; thence South $13^{\circ} 37'$ West 117.42 feet to a point and lands now or formerly of Gladstone; thence North $55^{\circ} 49'$ West 41.0 feet across the aforementioned stream as measured along lands now or formerly of Gladstone to a pipe set in the west bank of the stream; thence along the westerly bank of the stream and along lands now or formerly of Gladstone, North $1^{\circ} 12'$ West 95.0 feet to the point or place of beginning.

Containing 0.1219 acres of land more or less. Bearings herein used are from a map of lands of Nathaniel M. Brown, dated September 20, 1949 with revisions to October 6, 1956, prepared by A. H. Peterson, licensed surveyor.

^{0.1219}
THE premises hereinabove described are subject to the following covenants, restrictions and conditions which shall run with the title to said premises:

1. That the premises hereinabove described shall only be used for the installation of a town dedicated highway.

2. No structure of any type shall be erected upon said premises except that a fence may be installed which does not exceed three (3) feet in height and a sign may be erected which does not exceed three (3) feet in width and five (5) feet in height.

BEING a portion of the same premises conveyed to the grantors herein by two separate deeds dated April 11, 1966 of George B. Overhiser, as Executor of and Trustee under the Last Will and Testament of Iva S. Brown and Ada Brown, said deeds being recorded in the Orange County Clerk's Office.

SUBJECT to a ten (10) foot wide easement and right of way of the grantors herein over and upon the easterly line of the premises hereinabove described, being along the course South $13^{\circ} 37'$ West 117.42 feet for ingress and egress by any means of motor transportation, which easement and right of way runs in a generally southerly direction from Route 207. Such easement and right of way shall terminate upon the installation of a town dedicated highway over and upon the above described premises, provided such town dedicated highway shall be available for use by the grantors herein without crossing any portion of the above described premises. This easement and right of way shall inure to the benefit of the grantors herein, their heirs, executors, administrators and assigns.

TOGETHER with any right, title and interest of the grantors in and to the lands lying to the center of Route 207, which Route 207 adjoins the hereinabove described premises on the north.

BEING the same premises described in a deed from William H. McCauley, Jr. and Susan W. McCauley, his wife, to Goch, Inc., on the 11th day of April, 1966 and recorded in the Orange County Clerk's Office on the 12th day of April, 1966 in Liber 1740 of deeds at page 951.

The Excepted parcel conveyed by Deed recorded in Liber 1779 cp. 14 was subsequently corrected by Deed recorded January 19, 1970 in Orange County Clerk's Office in Liber 1839 cp. 101 in which said Deed the aforesaid excepted parcel was corrected to be described as follows:

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of New Windsor, County of Orange, State of New York, more particularly bounded and described as follows:

BEGINNING AT A POINT marking the intersection of line of lands now or formerly of Rottmeier and line of lands now or formerly of Loeven, which said point marks the terminus of course number 3 of Parcel 1, in a certain Deed made by Goch, Inc. to Paul G. Miller dated December 31, 1968, recorded March 3, 1969 in the Orange County Clerk's Office in Liber 1814 cp. 1135 and from said point of beginning the following courses and distances.

1. Thence North 89° 11' east a distance of 60.00 feet
 2. Thence South 00° 49' east a distance of 240.00 feet
 3. Thence South 89° 11' west a distance of 60.00 feet
 4. Thence North 00° 49' west a distance of 240.00 feet
- to the point or place of beginning.



Louis Holmbeck
County Executive

**Department of Planning
& Development**

124 Main Street
Goshen, New York 10924
(914) 294-5151

Peter Garrison, Commissioner
Richard S. DeTurk, Deputy Commissioner

**ORANGE COUNTY DEPARTMENT OF PLANNING & DEVELOPMENT
239 L, M or N Report**

This proposed action is being reviewed as an aid in coordinating such action between and among governmental agencies by bringing pertinent inter-community and Countywide considerations to the attention of the municipal agency having jurisdiction.

Referred by T. of New Windsor Zoning Board of Appeals / P.B. D P & D Reference No. NWT 21-89 M (related to NWT 18-88)
County I.D. No. 34 / 2 / 6,17,38

Applicant Moore's Hill Estates

Proposed Action: Zoning Change from NC to R-3 Moore's Hill Road

State, County, Inter-Municipal Basis for 239 Review frontage/access to NYS Hwy. 207

Comments: We support the proposed zoning change (from NC to R-3). See enclosed 1988 review letter regarding initial subdivision.

Related Reviews and Permits _____

County Action: Local Determination _____ Disapproved _____ Approved XXXXXXX

Approved subject to the following modifications and/or conditions: _____

7/10/89
Date

Peter Garrison
Commissioner

CC: M.E.

DESCRIPTION OF PORTION OF PROPERTY WITHIN NC ZONING DISTRICT

BEGINNING at a point in the southerly right-of-way line of New York State Route 207 where the same is intersected by the common line of lands now or formerly of Perry and Frauke Rotwein, as described in Liber 2288, Page 220 on the southeast and the herein described portion of property now or formerly of Equipment Rebuilders Holding Corp. as described in Liber 1843, Page 1131 and running; thence,

1. S. 13°-37'-00" W. 117.42 feet along said line common with Rotwein; thence,
2. S. 55°-49'-00" E. 19.27 feet along the southerly line of said lands of Rotwein to the westerly line of lands now or formerly of Charles A. and Elizabeth S. Tracy as described in Liber 1716, Page 1043; thence,
3. S. 04°-59'-00" E. 92.10 feet along said lands of Tracy to a point located S. 62°-51' W. 2.5 feet from a fence corner; thence,
4. S. 47°-39'-00" E. 150.00 feet along the southerly line of lands of Tracy to an iron pipe found; thence,
5. S. 50°-49'-00" E. 135.00 feet along the southerly line of lands now or formerly of Donald W. and Georgene M. Gladstone as described in Liber 1735, Page 754 to the easterly line of lands now or formerly of Robert T. and Anna C. Loeven as described in Liber 1901, Page 297 and Liber 1735, Page 751 and being located 0.6 feet easterly of a 3/4" diameter iron pin found; thence,
6. S. 39°-11'-00" W. 33.00 feet to a point 0.6 feet easterly of a 1" diameter iron pin found; thence,
7. S. 43°-23'-00" E. 297.12 feet along the southerly line of said lands of Loeven and continuing along the southerly line of lands now or formerly of Joseph LaPorta as described in Liber 2181, Page 355 to an iron pin found on the northwesterly line of lands now or formerly of Erhart F. and Marie Kutsche as described in Liber 1851, Page 622; thence,
8. S. 39°-11'-00" W. 17.81 feet along said line of Kutsche; thence,
9. S. 43°-23'-00" E. 123.00 feet along the southerly line of said lands of Kutsche; thence,

December 15, 1988

Page 2 of 2

Re: Moores Hill Estates
Our File #PY8602770

DESCRIPTION OF PORTION OF PROPERTY WITHIN NC ZONING DISTRICT

10. Northwesterly, on a curve to the left having a radius of 600.00 feet (a line from the radius point to the beginning of this curve bears N. 46°-37'-00" E.), an arc distance of 306.49 feet through said lands of Equipment Rebuilders Holding Corp. to a point of tangency; thence,
11. N. 72°-39'-05" W. 759.40 feet through the same to the southeasterly line of lands now or formerly of George Kent, Jr. and Patricia A. Kent as described in Liber 1839, Page 101 and Liber 1779, Page 14; thence,
12. N. 00°-44'-05" W. 43.89 feet along said lands of Kent to the southerly line of lands now or formerly of Paul M. and Celia M. Mehmed as described in Liber 2267, Page 384; thence,
13. N. 89°-15'-55" E. 203.00 feet along said lands of Mehmed; thence,
14. N. 29°-14'-55" E. 223.00 feet along the easterly line of said lands of Mehmed and continuing along the easterly line of lands now or formerly of Anthony J. and Sandra L. Christie as described in Liber 1862, Page 1084 to the most southerly corner of lands now or formerly of Richard M. Portzer as described in Liber 2176, Page 196; thence,
15. N. 28°-28'-55" E. 171.68 feet along said lands of Portzer to the said southerly right-of-way line of New York State Route 207; thence,
16. S. 66°-57'-57" W. 74.05 feet along said line of New York State Route 207; thence,
17. N. 70°-49'-00" E. 19.05 feet along the same; thence,
18. S. 72°-48'-00" E. 24.80 feet along the same to the point of BEGINNING.

Containing: 196,387 Square Feet
or
4.5084 Acres

DONE BY: J.C.C.

CHECKED BY: DM

G/Desc/PY2770.NC

Bernard E. Davis
Attorney at Law

MARVIN L. SCHWARTZ, ESQ.

87-69

301 Chester Plaza
Route 17M
Chester, New York 10918-1301
Telephone 914-469-7501
FAX: 914-469-7505

June 30, 1988

Town Supervisor
Town of New Windsor
555 Union Avenue
New Windsor, NY 12550

RE: Moores Hill Estates

Dear Supervisor Green:

Enclosed please find the latest edition of the proposed subdivision map, regarding the above matter.

I previously sent you a copy of the Petition to the Zoning Board of Appeals. I appeared before the ZBA on June 27th. The ZBA felt that this would be better handled as a zone change not as a use variance. Their fear was the commercial zone would still remain even though a use variance was granted. That as a result of that, a purchaser of a residence would have the ability to make use of his property for commercial purposes.

I believe the feelings of the ZBA were that such a zone change would be beneficial to the community.

Therefore, please consider this letter as a Petition to rezone the existing NC area to a R-3 area. I would assume the zone change would be by a modification of the zoning map to simply enlarge the R-3 area. If there is any fee for this Petition, please advise and I will remit the same.

Very truly yours,

BERNARD E. DAVIS

BED:ds

cc: Jacob Deutsch
Planning Board
Zoning Board of Appeals
John Bonacic, Esq.

87-67

RAIMONDI ASSOCIATES, P.C.
CONSULTING CIVIL ENGINEERS
110 STAGE ROAD, MONROE, N.Y. 10950
(914) 782-8681

LOUIS A. RAIMONDI, PE, LS, PP
RONALD ROTHENBERG, PE

220 KINDERKAMACK ROAD
WESTWOOD, N.J. 07675
201-666-0900

ELMO J. BODRATO, PLS, PP
ROBERT M. REITSEMA, PLS, PP
DONALD G. READE, PLS, PP
JAMES C. CLEARWATER, PLS
MICHAEL J. SANDOR, PE

May 13, 1988

Ms. Lynn Vance, Secretary
Town of New Windsor Planning Board
555 Union Avenue
New Windsor, New York 12550

Re: Moores Hill Estates
Our File #PY8602770

Dear Ms. Vance:

Please find enclosed fourteen (14) sets of subdivision plans for the Moores Hill Estates project located along Moores Hill Road in the Town of New Windsor. Please note that we have revised the drawings to reflect the wishes of the Planning Board at the last Planning Board meeting. Those changes are noted below:

1. We have indicated how one could construct houses on Lots 14, 16 and 17 due to the steep slopes behind these lots.
2. We have doubled up the driveway accesses onto Moores Hill Road for Lots 1, 2, 3 and 4.
3. We have met with the DPW Supervisor who has indicated his willingness to work with us in any improvements which might be needed along Moores Hill Road.
4. We have a meeting with the New York State Department of Environmental Conservation as it relates to the stream relocation and we will be in a better position to report back to the Board at the next meeting.
5. We have field flagged the location of the proposed Road "A" out onto Moores Hill Road.

20th Anniversary

1968

1988

RAIMONDI ASSOCIATES, P. C.

We transmit this material to you for the May 25, 1988 Planning Board meeting at which time we would like to further discuss this subdivision.

Thanking you for your time in this matter.

Very truly yours,

Michael J. Sandor /J.T.

RAIMONDI ASSOCIATES, P.C.
Michael J. Sandor, P.E.

MJS:gl
Enclosures

cc: Bernard E. Davis, Esq. (w/enc.)
Jacob Deutsch (w/enc.)

G/Rep/MoorsH15.13



Louis Heimbech
County Executive

**Department of Planning
& Development**

124 Main Street
Goshen, New York 10924
(914) 294-5151

Peter Garrison, Commissioner
Richard S. DeTurk, Deputy Commissioner

May 4, 1988

Mr. Henry Scheible, Chairman
Town of New Windsor Planning Board
555 Union Avenue
New Windsor, New York 12550

Re: Moores Hill Estates, Major Subdivision
Moores Hill Road
Our File No. NWT 18-88 N

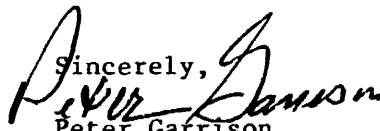
Dear Mr. Scheible:


We have reviewed the plan submitted and have inspected the area proposed for the 25-lot subdivision in accordance with Section 239, paragraphs 1 and n of the General Municipal Law. Regarding the subdivision, we offer the following comments and decision.

The subdivision design is carefully thought out. Respect for the site and sensitivity in the placement of the residences and road is evident. The lot layout conforms nicely with the physical configuration of the property.

The extension of the proposed road unto Weather Oak Hill Road should be constructed at the onset of the development. The connection will provide future residents, along with emergency vehicles, an alternate means of access.

Given the two zoning districts associated with the site, it might be an appropriate time to consider rezoning the entire site to the R-3 zone. Independent of the proposed zoning change, the Orange County Department of Planning and Development recommends approval of the Moores Hill Estates Subdivision.

Sincerely,

Peter Garrison
Commissioner of
Planning & Development

Reviewed by: 
Cheryl Mergo
Planner

CM:cmd

RECEIVED

MAY 9 1988

**TOWN ENGINEER'S OFFICE
TOWN OF NEW WINDSOR**



COUNTY OF ORANGE

LOUIS HEIMBACH, County Executive

Department of Health

124 MAIN STREET
GOSHEN, NEW YORK 10924 TEL: 914-294-7961

87-67

Walter O. Latzko
President, Board of Health

April 14, 1988

RE: Moores Hill Estates
Town of New Windsor

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, NY 12550

Gentlemen:

This is a realty subdivision requiring the review and approval of our department prior to your issuing your final approval.

We will not be able to do our review until there has been approval of the sewer design by New York State Department of Environmental Conservation.

Very truly yours,

M. J. Schleifer, P.E.
Assistant Commissioner

MJS:dlb

cc: File

87-67



Louis Heimback
County Executive

TOWN OF NEW WINDSOR
PLANNING BOARD
RECEIVED 9/2/87
DATE

Department of Planning
& Development
124 Main Street
Goshen, New York 10924
(914) 294-5151

Peter Garrison, Commissioner
Richard S. DeTurk, Deputy Commissioner

ORANGE COUNTY DEPARTMENT OF PLANNING & DEVELOPMENT
239 L, M or N Report

This proposed action is being reviewed as an aid in coordinating such action between and among governmental agencies by bringing pertinent inter-community and Countywide considerations to the attention of the municipal agency having jurisdiction.

Referred by T. NANN WINDSOR PLANNING BOARD D P & D Reference No. NUOT 20-87N
County I.D. No. 34, 1, 2, 16, 17, 48

Applicant JACOB DEUTSCH
Proposed Action: MAJOR SUBDIVISION; MAPLES HILL ESTATES
State, County, Inter-Municipal Basis for 239 Review FLEETHEAD HOUSES NYS 207; WITHIN
County Effects: 500' OF STEADY AIRNET

CHECK PROSQUARY OF LOT (12) FOR FLEXIBILITY IN
PLACEMENT OF DWELLING UNDER R-3 ZONING
ENVELOPE

Related Reviews and Permits N.Y.S. DEPT. OF TRANSPORTATION

County Action: ✓ Local Determination _____ Approved _____ Disapproved _____

Approved subject to the following modifications and/or conditions: _____

AUGUST 31, 1987
Date

Peter Garrison
Commissioner

☐ Postcard Returned
Date _____

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, NY 12550

(This is a two-sided form)

Date Received _____
Meeting Date _____
Public Hearing _____
Action Date _____
Fees Paid _____

APPLICATION FOR SITE PLAN OR Lot Line Change
OR SUBDIVISION PLAN APPROVAL

1. Name of Project Moore's Hill Estates
2. Name of Applicant Jacob Deutsch Phone 783-9375
Address 1 Kennedy Court, Monroe N.Y. 10950
(Street No. & Name) (Post Office) (State) (Zip)
3. Owner of Record Equipment Rebuilders Holding Corp Phone (201)-664-3300
Address 609-15 Broadway, Westwood, New Jersey 07675
(Street No. & Name) (Post Office) (State) (Zip)
4. Person Preparing Plan Raimondi Assoc, P.C. Phone 782-8681
Address 110 Stage Road, Monroe, New York 10950
(Street No. & Name) (Post Office) (State) (Zip)
5. Attorney Bernard E. Davis, Esq. Phone 469-7501
Address 301 Chester Plaza, Route 17M, Chester, New York 10918
(Street No. & Name) (Post Office) (State) (Zip)
6. Location: On the North side of Moore's Hill Road
200 feet East (Direction)
of Weather Oak Hill Road
(Street)
7. Acreage of Parcel 26.38± Ac. 8. Zoning District R-3
9. Tax Map Designation: Section 34 Block 2 Lot 6,17,38
10. This application is for Twenty one (21) Single Family
Building Lots and One (1) Commercial Parcel
11. Has the Zoning Board of Appeals granted any variance or a special permit concerning this property? no

If so, list Case No. and Name _____

12. List all contiguous holdings in the same ownership
Section _____ Block _____ Lot(s) _____

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

X OWNER'S ENDORSEMENT
(Completion required ONLY if applicable)

COUNTY OF ORANGE

SS.:

STATE OF NEW YORK

X Rocco Pavese being duly sworn, deposes and says that he resides at 609-15 Broadway, Westwood, N.J. 07675 in the County of Bergen and State of New Jersey and that he is (the owner in fee) of President of Equipment Rebuilders Holding Corp (Official Title) of the Corporation which is the Owner in fee of the premises described in the foregoing application and that he has authorized Jacob Deutsch to make the foregoing application for Special Use Approval as described herein

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.

Sworn before me this 20th

EQUIPMENT REBUILDERS HOLDING CORP.

X Rocco Pavese
(Owner's Signature)

X Jacob Deutsch
(Applicant's Signature)

X _____
(Title)

X Verna M. McKnight
Notary Public

VERNA M. MCKNIGHT
NOTARY PUBLIC, State of New York
No. 4890181
Residing & Appointed in Orange Co.
Term Expires April 20, 1987

CARLA ROTUNDA
NOTARY PUBLIC, State of New York
No. 44-0080785
Qualified in Orange County
Term Expires 7/23/87

SHORT ENVIRONMENTAL ASSESSMENT FORM

Appendix B Part 617

Project Title: MOORES HILL ESTATES

Location: NORTH SIDE OF MOORES HILL RD., 200' EAST OF WEATHER OAK HILL RD.

ID Number: _____

INSTRUCTIONS:

- (a) In order to answer the questions in this short EAF it is assumed that the preparer will use currently available studies, research, or other investigations will be undertaken.
- (b) If any question has been answered Yes, the project may have a significant effect and the full Environmental Assessment Form is necessary. Maybe or Unknown answers should be considered as Yes answers.
- (c) If all questions have been answered No it is likely that this project will not have a significant effect.
- (d) If additional space is needed to answer the questions, please use the back of the sheet or provide attachments as required.

ENVIRONMENTAL ASSESSMENT

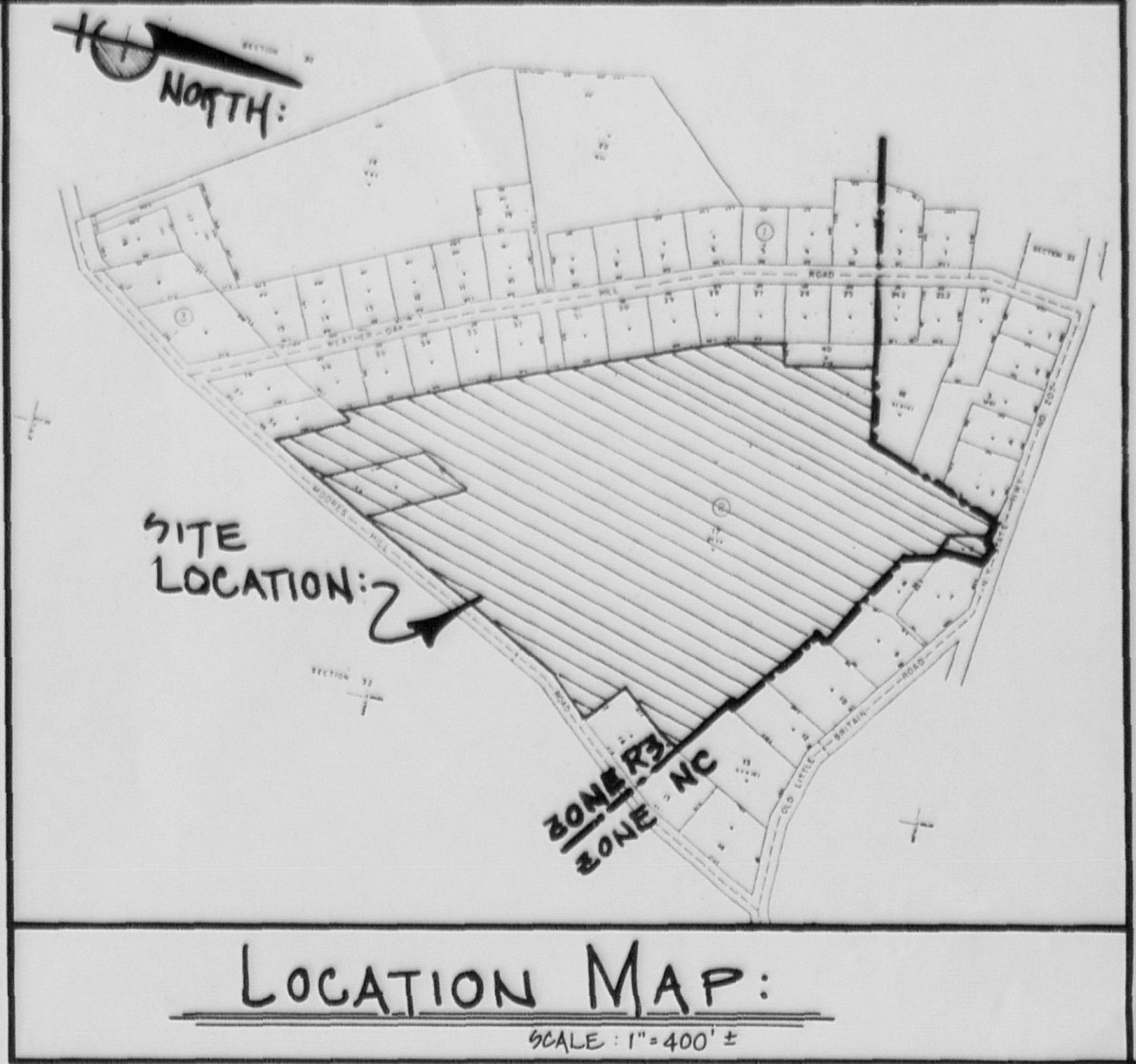
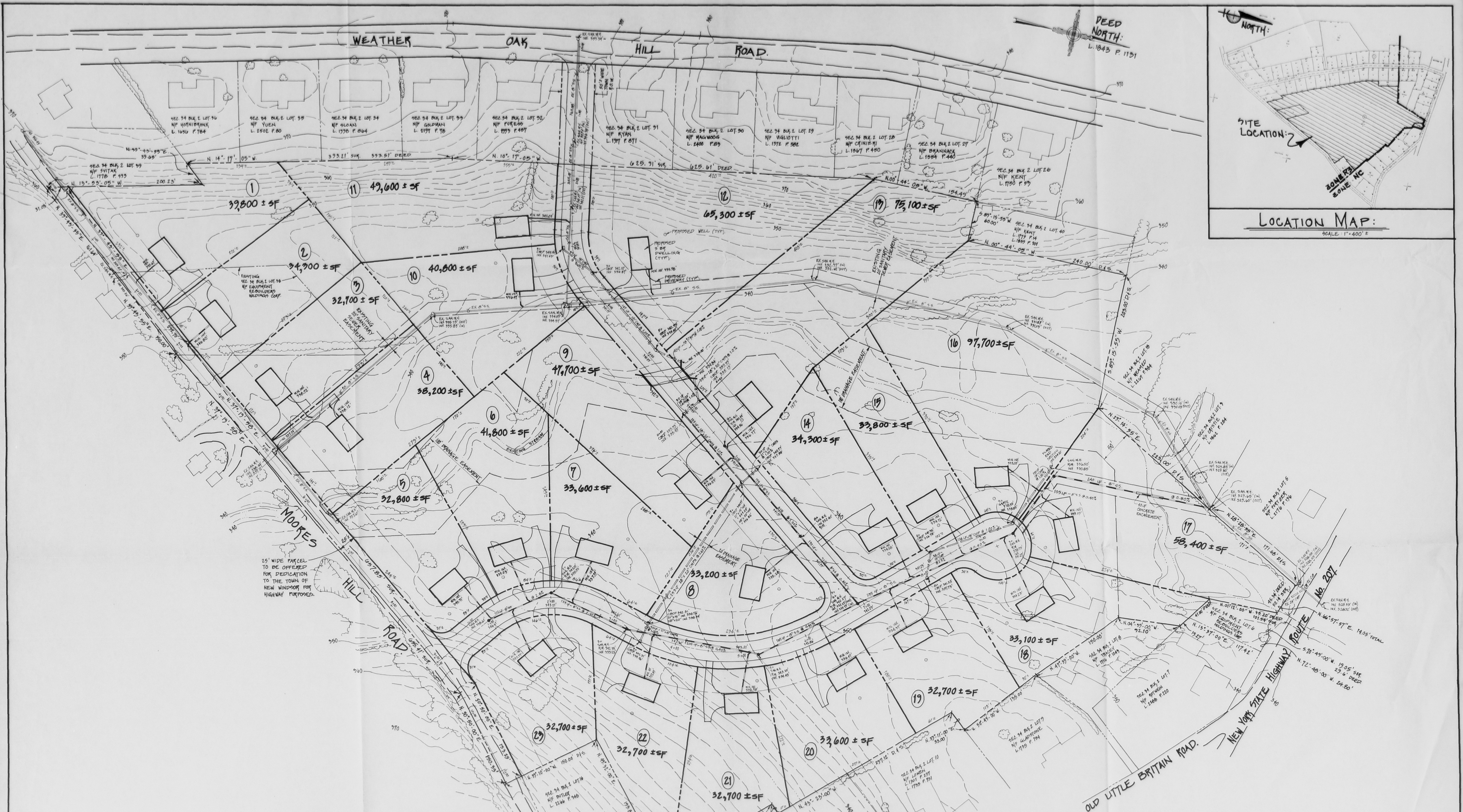
	YES	NO
1. Will project result in a large physical change to the project site or physically alter more than 10 acres of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will there be a major change to any unique or unusual land form found on the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Will project alter or have a large effect on an existing body of water?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Will project have an adverse impact on groundwater quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Will project significantly effect drainage flow on adjacent sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Will project affect any threatened or endangered plant or animal species?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Will project result in a major adverse effect on air quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Will project have a major effect on the visual character of the community or scenic views or vistas known to be important to the community?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Will project adversely impact any site or structure of historic, prehistoric, or paleontological importance or any site designated as a Critical Environmental Area by a local agency?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Will project have a major adverse effect on existing or future recreational opportunities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. Will project result in major traffic problems or cause a major effect to existing transportation systems?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. Is project non-farm related and located within a certified agricultural district?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. Will project regularly cause objectionable odors, noise, glare, vibration, or electrical disturbance as a result of the project's operation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14. Will project have any adverse impact on public health or safety?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15. Will project affect the existing community by directly causing a growth in permanent population of more than 5 percent over a one-year period or have a major negative effect on the character of the community or neighborhood?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is there public controversy concerning any potential impact of the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

FOR AGENCY USE ONLY

Preparer's Signature: Michael J. Bando Date: 8-21-87

Preparer's Title: PROJECT ENGINEER FOR RAIMONDI ASSOC. P.C.

Agency: _____



- GENERAL NOTES:
- RECORD OWNER: EQUIPMENT REBUILDERS HOLDINGS CORPORATION (NEW YORK CORPORATION WITH OFFICE AT) 615 BROADWAY WESTWOOD, NEW JERSEY 07675
 - SUBDIVISION: JACOB DEUTSCH & KENNEDY COURT MONROE, NEW YORK 10950
 - TAX MAP REFERENCE: SECTION 34, BLOCK 2, LOTS 6, 17, 38
 - DEED REFERENCE: LIBER 1843 PAGE 1131 LIBER 1740 PAGE 951
 - ZONING REQUIREMENTS: ZONING DISTRICT R-3
- BULK REGULATIONS
- | | |
|---------------------------------|-----------|
| MINIMUM LOT AREA | 32,670 SF |
| MINIMUM LOT WIDTH | 100 FT |
| MINIMUM FRONT YARD SETBACK | 35 FT |
| MINIMUM ONE SIDE YARD SETBACK | 15 FT |
| MINIMUM BOTH SIDE YARDS SETBACK | 30 FT |
| MINIMUM REAR YARD SETBACK | 40 FT |
| MINIMUM ROAD FRONTAGE SETBACK | 60 FT |
- BOUNDARY INFORMATION AS SHOWN HEREON IS BASED ON AN ACTUAL FIELD SURVEY COMPLETED BY RAIMONDI ASSOCIATES, P.C., MONROE NEW YORK 10950, DATED: NOVEMBER 22, 1988.
 - TOPOGRAPHIC INFORMATION AS SHOWN HEREON WAS DEVELOPED BY PHOTOGRAMMETRIC METHODS.
 - LOTS ARE TO BE SERVICED BY MUNICIPAL SEWER AND WATER.
 - EXISTING LOT LINES FOR TAX MAP SECTION 34, BLOCK 2, LOT 6 AND TAX MAP SECTION 34, BLOCK 2, LOT 38 ARE TO BE DELETED.
 - TOTAL AREA OF ENTIRE TRACT: 25.5763 ACRES TO CENTERLINE OF MOORES HILL ROAD 24.9389 ACRES TO SIDELINE.

PLAN:
SCALE: 1"=50'

James C. Clearwater
JAMES C. CLEARWATER L.S.
LICENSED PROFESSIONAL LAND SURVEYOR
N.Y. L.S. NO. 49467

DATE	ISSUE	DESCRIPTION
REVISIONS		
PRELIMINARY PLAN		
"MOORES HILL ESTATES"		
TOWN OF NEW WINDSOR • ORANGE COUNTY • NEW YORK		
RAIMONDI ASSOCIATES, P.C. CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS MONROE, NY WESTWOOD, NJ		
110 STAGE ROAD MONROE, NEW YORK 10950		
<i>Michael J. Sandor</i> MICHAEL J. SANDOR P.E. LICENSED PROFESSIONAL ENGINEER N.Y. L.E. NO. 60445		
DATE: 07/11/1989	DRAWN BY: JCB	CHECKED BY:
SCALE: 1"=50'	JOB NO. 88-02770	DWG. NO. 1 OF 1



- "Unauthorized alteration or addition to a survey map bearing a licensed Land Surveyor's embossed seal is a violation of Section 7209, Sub-division 2, of the New York State Education Law."

- "Only copies from the original tracing of this survey marked with the Land Surveyor's embossed seal shall be considered to be valid true copies."

- "Declaration indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for

Land Surveyors adopted by the Delaware-Hudson Land Surveyors Association. Said declarations shall run only to those named individuals and/or institutions for whom the survey is prepared. Declarations are not transferable to additional individuals, institutions, their successors and/or assigns, or subsequent owners."

- "Subject to underground utilities and easements not recorded

- "Offsets shown hereon are correct, however, they should not be used as a basis for the erection of fences or other structures."
- "Subject to an up-to-date abstract of title."

- "DEED REFERENCE: PAUL G. MILLER TO EQUIPMENT REBUILDERS HOLDING CORP.
LINER 1983 PAGE 1181"

- SUBJECT TO THE RIGHTS OF THE PUBLIC IN AND TO THE PORTION OF THE
PARCEL SHOWN HEREON THAT LIES WITHIN MOORES HILL ROAD.

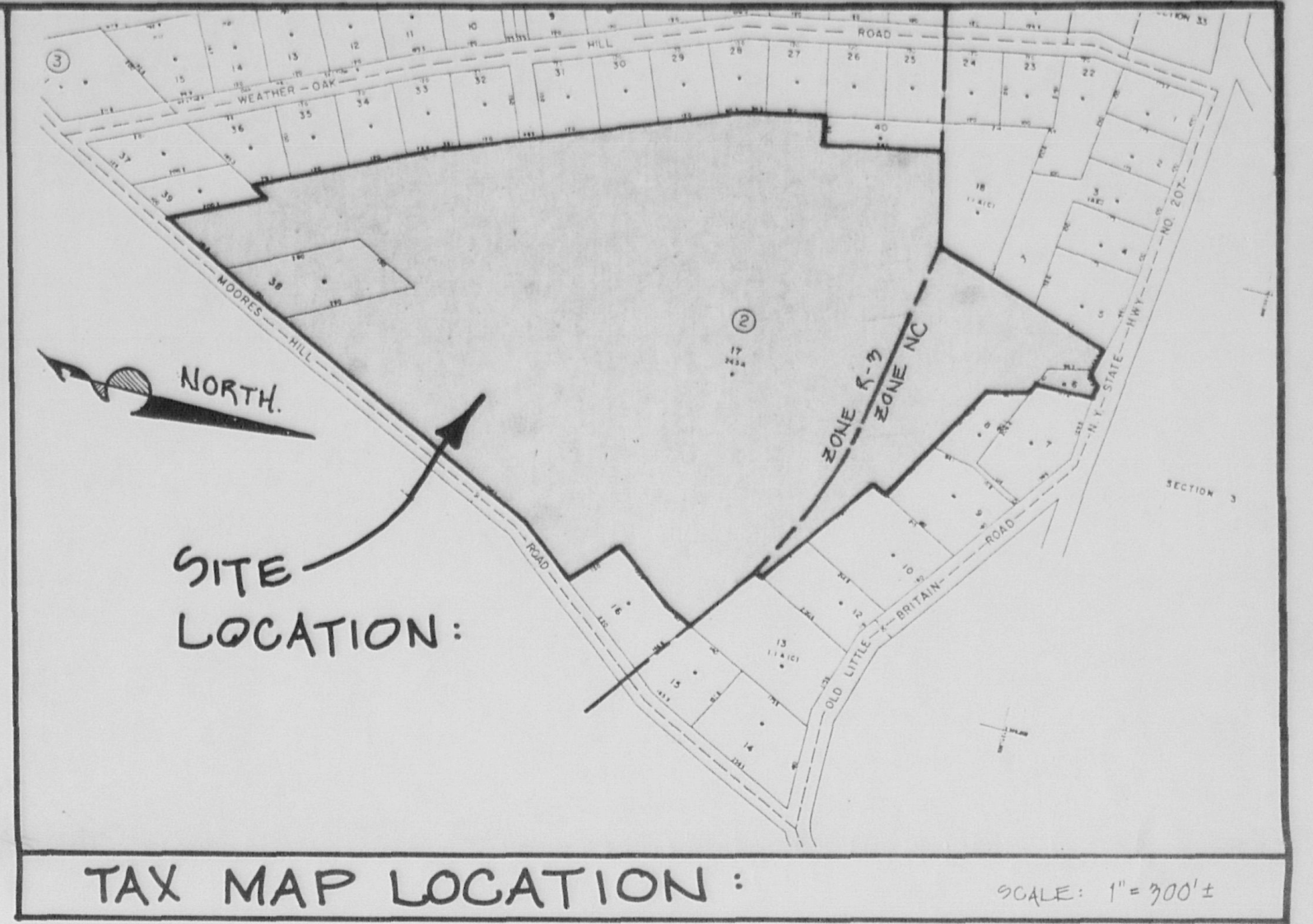
- SUBJECT TO A SANITARY SEWER EASEMENT.

DATE	ISSUE	DESCRIPTION
REVISIONS		
SURVEY OF LANDS FOR :		
"MOORES HILL ESTATE"		
• TOWN OF NEW WINSDOR • ORANGE COUNTY • NEW YORK		
RICMONDI ASSOCIATES, P.C.		
CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS		
MONROE, NY	WEST STAGE ROAD	WESTWOOD, NJ
MONROE, NEW YORK 10950		
<i>James C. Clearwater</i> JAMES C. CLEARWATER, L.S. N.Y.S. L.S. NO. 194687		
DATE: MAR 22, 1986 DRAWN BY: <i>CEM</i> CHECKED BY: _____ SCALE: 1" = 50' JOB NO: <i>64-0-1222</i> DINES NO. <i>1</i> OF <i>1</i>		

TAX MAP REFERENCE: SECTION 34 BLOCK 2 LOTS 6, 17 & 38



PLAN:
SCALE: 1" = 100'



GENERAL NOTES:

- RECORD OWNER:
EQUIPMENT REBUILDERS HOLDINGS CORPORATION
(NEW YORK CORPORATION WITH OFFICE AT):
615 BROADWAY
WESTWOOD, NEW JERSEY 07675
- SUBDIVIDER:
JACOB DEUTSCH
1 KENNEDY COURT
MONROE, NEW YORK 10950
- TAX MAP REFERENCE:
SECTION 34, BLOCK 2, LOTS 6, 17, 38
- DEED REFERENCE:
LIBER 1843 PAGE 1131
LIBER 1749 PAGE 951
- ZONING REQUIREMENTS:

ZONING DISTRICT	R-3	N.C.
MINIMUM LOT AREA	21,760 SQ. FT.	10,000 SQ. FT.
MINIMUM LOT WIDTH	100 FT.	100 FT.
MINIMUM FRONT YARD	35 FT.	40 FT.
MINIMUM ONE SIDE YARD	15 FT.	15 FT.
MINIMUM BOTH SIDE YARDS	30 FT.	35 FT.
MINIMUM REAR YARD	40 FT.	15 FT.
MINIMUM ROAD FRONTAGE	60 FT.	
- BOUNDARY INFORMATION AS SHOWN HEREON IS BASED ON DEEDS OF RECORD AND FORMER SURVEYS BY OTHERS. SUBJECT TO SUCH FACTS AS AN ACCURATE FIELD SURVEY MAY DISCLOSE.
- PHOTOGRAPHIC INFORMATION AS SHOWN HEREON DEVELOPED BY PHOTOGRAMMETRICAL METHODS.
- LOTS ARE TO BE SERVICED BY MUNICIPAL SEWER & WATER.
- EXISTING LOT LINES FOR TAX MAP SECTION 34, BLOCK 2, LOT 6 AND TAX MAP SECTION 34, BLOCK 2, LOT 38 ARE TO BE DELETED.
- TOTAL AREA OF ENTIRE TRACT: 26.38± ACRES TO CENTER LINE OF MOORES HILL ROAD.
- TOTAL NUMBER OF PROPOSED LOTS: 25

DATE	ISSUE	DESCRIPTION
REVISIONS		
SKETCH PLAT		
"MOORES HILL ESTATES"		
TOWN OF NEW WINDSOR • ORANGE COUNTY • NEW YORK.		
RAIMONDI ASSOCIATES, P.C.		
CONSULTING CIVIL ENGINEERS AND LAND SURVEYORS		
MONROE, NY WESTWOOD, NJ		
110 STAGE ROAD		
MONROE, NEW YORK 10950		
LOUIS A. RAIMONDI P.E., L.S.		
LICENSED PROFESSIONAL ENGINEER AND LAND SURVEYOR LIC # 40212		
DATE: 8-20-80	DRAWN BY: CEM	CHECKED BY:
SCALE: AS SHOWN JOB NO: PY 86 02170 DWG NO: 1 OF 1		